

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES HARRISON,
Plaintiff,

No. C 20-7030 WHA (PR)

ORDER OF DISMISSAL

v.

SEALED,

Defendant.

The clerk opened this case on October 8, 2020, based upon the receipt from plaintiff, a California prisoner proceeding pro se, of a document captioned “murder by proxy, conspiracy/torture” that set forth no allegations or claims and merely attached some of plaintiff’s medical records. The same day, the clerk notified plaintiff that if he wished to proceed with this case, he must file a complaint on the court’s form. The clerk also notified plaintiff that he must either pay the filing fee or file a completed application to proceed in forma pauperis (“IFP”). Along with the notice, the clerk mailed to plaintiff an IFP application, instructions, and a stamped return envelope. The notices informed plaintiff that the case would be dismissed if he did not file a complaint and either pay the fee or file the completed IFP application within 28 days. More than 28 days have passed and plaintiff has not filed the complaint or IFP application, nor has he paid the filing fee. Plaintiff has filed a motion for a continuance in which he requests to continue this case until he finds an attorney to represent him. He has not shown cause for such a continuance, however. First, he provides no time frame for the continuance he seeks, and an indefinite continuance is not allowed. Second, he does not explain why he needs to continue with this case instead of simply opening a new case with his complaint when he is ready to proceed. Plaintiff has not shown cause to indefinitely

1 continue a case in which he has not presented any claims.

2 Accordingly, the motion for a continuance is **DENIED**, and this case is **DISMISSED**
3 without prejudice to plaintiff proceeding with a new case when he is ready to file a complaint
4 and either pay the filing fee or file a completed IFP application.

5 The Clerk shall enter judgment and close the file.

6 **IT IS SO ORDERED.**

7
8 Dated: November 24, 2020.


9 WILLIAM ALSUP
10 UNITED STATES DISTRICT JUDGE